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Attorneys for Defendant/Third Party
Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

FAIRBANKS INVESTORS, INC.,)	
Plaintiff,)	Case No. 4:05-cv-0023-RRB
vs.)	
UNITED STATES DEPARTMENT)	
OF AGRICULTURE, FARM)	
SERVICE AGENCY,)	
Defendant,)	SCHEDULING AND PLANNING
)	CONFERENCE REPORT
UNITED STATES OF AMERICA,)	
Third Party)	
Plaintiff,)	
vs.)	

LYALL BRASIER aka LYALL R.)
BRASIER, JR. aka LYALL)
RAYMOND BRASIER, JR. and)
JEANETTE BRASIER aka)
JEANETTE E. BRASIER aka)
JEANETTE ELAINE BRASIER,)
Husband and Wife; VANDER)
WEELE FARMS, and FAIRBANKS)
INVESTORS, INC.,)
 Third Party)
 Defendants.)

Daniel R. Cooper, Jr. attorney for US Dept. of Ag., FSA

Barry Jackson attorney for Lyall and Jeanette Brasier

John Burns attorney for Fairbanks Investors, Inc.

The parties recommend the following:

2. **Pre-Discovery Disclosures.** The information required by F.R.Civ.P. 26(a)(1):

_____ have been exchanged by the parties

 X will be exchanged by the parties by July 31, 2006.

Proposed changes to disclosure requirements: (*Insert proposed changes, if any*)

Preliminary witness lists

_____ have been exchanged by the parties

 X will be exchanged by the parties by August 15, 2006.

3. **Contested Issues of Fact and Law.** Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

Liability and damages.

4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan.

A. Discovery will be needed on the following issues:

Liability and damages.

B. All discovery commenced in time to be completed by October 31, 2006 ("discovery close date").

C. Limitations on Discovery.

1. Interrogatories

 X No change from F.R.Civ.P. 33(a)

_____ Maximum _____ by each party to any other party.
_____ of _____
Responses due _____ days.
in _____

2. Requests for Admissions.

 X No change from F.R.Civ.P. 36(a).

_____ Maximum _____ requests.
_____ of _____
Responses due _____ days.
in _____

3. Depositions.

 X No change from F.R.Civ.P. 36(a), (d).

Maximum _____ depositions by each party.
of _____

Depositions not to _____ hours unless agreed to by all
exceed _____ parties.

D. Reports from retained experts.

_____ Not later than 90 days before the close of discovery subject to
F.R.Civ.P 26(a)(2)(C).

X Reports due:

From plaintiff October 31, _____ From defendant October 31, 2006
2006

E. Supplementation of disclosures and discovery responses are to be made:

X Periodically at 30-day intervals from the entry of scheduling
and planning order.

_____ As new information is acquired, but not later than 60 days
before the close of discovery.

F. A final witness list, disclosing all lay and expert witnesses whom a party may wish to call at trial, will be due:

_____ 45 days prior to the close of discovery.

X Not later than October 31, 2006.

5. **Pretrial Motions.**

X No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

____ Motions to amend pleadings or add parties to be filed not later than
(*insert date*).

____ Motions under the discovery rules must be filed not later than
(*insert date*).

____ Motions in limine and dispositive motions must be filed not later
than (*insert date*).

6. **Other Provisions:**

A. X The parties do not request a conference with the court before
the entry of the scheduling order.

____ The parties request a scheduling conference with the court on
the following issue(s):

(*Insert issues on which a conference is requested*)

B. Alternative Dispute Resolution. [D.Ak. LR 16.2]

____ This matter is not considered a candidate for court-annexed
alternative dispute resolution.

 X The parties will file a request for alternative dispute resolution
not later than July 31, 2006.

____ Mediation X Early Neutral Evaluation

C. The _____ do X not consent to trial before a magistrate
parties _____ judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P. 7.1

 X Parties will comply _____ Compliance not required by any
by July 15, 2006 _____ party

7. **Trial.**

A. The matter will be ready for trial:

 45 days after the discovery close date.

 X not later than January 1, 2007.

B. This matter is expected 3 days to try.
to take

C. Jury X Yes No
Demanded

Right to jury trial disputed? X Yes No

Dated: 6/29/06

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